

**REMARKS**

Claims 1-10, 12-30, 32-68 and 70-78 are pending in the application.

Claims 1-10, 12-30 and 32-40 have been rejected.

Claims 41-68 and 70-78 have been indicated as allowable. Applicants express their appreciation for the indicated allowability of these claims.

**Double Patenting**

The Office Action provisionally rejects independent Claims 1 and 21 under the judicially created doctrine of obviousness-type double patenting over Claim 95 of copending U.S. Patent Application No. 09/945,450. Claim 1 stands further provisionally rejected under the judicially created doctrine of obviousness-type double patenting over Claim 1 of copending U.S. Patent Application No. 11/321,216. The Office Action extends these provisional rejections to all dependent claims of independent Claims 1 and 21.

In response to these provisional rejections, Applicants are filing concurrently with the present Response, a Terminal Disclaimer To Obviate A Double Patenting Rejection Over An Application in accord with 37 CFR §1.321(c). By so filing, Applicants do not concede in the validity of the Examiner's rejection, but instead are filing the Terminal Disclaimer to advance prosecution. Applicants respectfully submit that this Terminal Disclaimer is responsive to the above rejections and that Claims 1 and 21 and all claims depending therefrom are in condition for allowance. Applicants therefore respectfully

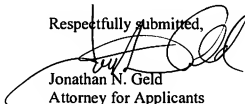
request the Examiner's reconsideration and withdrawal of the rejections to these claims and an indication of the allowability of same.

### CONCLUSION

In view of the remarks set forth herein, the application and the claims therein are believed to be in condition for allowance without any further examination and a notice to that effect is solicited. Nonetheless, should any issues remain that might be subject to resolution through a telephonic interview, the Examiner is invited to telephone the undersigned at 512-439-5090.

If any extensions of time under 37 C.F.R. § 1.136(a) are required in order for this submission to be considered timely, Applicant hereby petitions for such extensions. Applicant also hereby authorizes that any fees due for such extensions or any other fee associated with this submission, as specified in 37 C.F.R. § 1.16 or § 1.17, be charged to deposit account 502306.

Respectfully submitted,



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